

Exhibit A

CAUTION: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY THE COUNTY CLERK. (See below.)

INDEX NO. UNASSIGNED

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 12/20/2018

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK**

LYDIA FELICIANO,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.

**Index No.
Date Filed:**

**Plaintiff designates
Suffolk County as the
place of trial**

**The basis of venue is
plaintiff's residence**

SUMMONS

**Plaintiff resides at
720 Wilson Boulevard
Central Islip, New York**

County of Suffolk

To the above named Defendant:

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Defendant's address:

**TARGET CORPORATION:
c/o C T Corporation System
111 Eighth Avenue
New York, New York 10011**

**1000 Nicollet Mall
Minneapolis, Minnesota 55403**

**Defendant's Insurance Co.:
Sedgwick Claims
Claim No. 000220055G-0001**

**SIBEN & SIBEN, LLP
Attorneys for Plaintiff
Office and Post Office Address
90 East Main Street
Bay Shore, New York 11706
(631) 665-3400
File No.: 07 22 16 M**

SEND TO YOUR INSURANCE COMPANY PROMPTLY

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR §202.5-b(d)(3)(1)) which, at the time of its printout from the court system's electronic website, had not yet been reviewed and approved by the County Clerk. Because court rules (22 NYCRR §202.5(d)) authorize the County Clerk to reject filings for various reasons, readers should be aware that documents bearing this legend may not have been accepted for filing by the County Clerk.

12/21/2018

000220055G0001

6020181221017038

CAUTION: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY THE COUNTY CLERK. (See below.)

INDEX NO. UNASSIGNED

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 12/20/2018

AGF/ad

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

-----X

LYDIA FELICIANO,

Plaintiff,

COMPLAINT

-against-

Index No.

TARGET CORPORATION,

Defendant.

-----X

Plaintiff, complaining of the defendant by her attorneys, SIBEN & SIBEN, LLP, respectfully alleges, upon information and belief:

FIRST : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, was a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

SECOND : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, was a foreign business corporation authorized to do business in the State of New York.

THIRD : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, was a partnership or other unincorporated entity authorized to do business in the State of New York.

FOURTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, was the owner and/or

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR §202.5-b(d)(3)(i)) which, at the time of its printout from the court system's electronic website, had not yet been reviewed and approved by the County Clerk. Because court rules (22 NYCRR §202.5(d)) authorize the County Clerk to reject filings for various reasons, readers should be aware that documents bearing this legend may not have been accepted for filing by the County Clerk.

2 of 2

CAUTION: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY THE COUNTY CLERK. (See below.)

INDEX NO. UNASSIGNED

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 12/20/2018

one of the owners of a certain store located at 160 North Research Place, Central Islip, New York.

FIFTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, its agents, servants and/or employees operated a certain store located at 160 North Research Place, Central Islip, New York.

SIXTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, its agents, servants and/or employees managed a certain store located at 160 North Research Place, Central Islip, New York.

SEVENTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, its agents, servants and/or employees controlled a certain store located at 160 North Research Place, Central Islip, New York.

EIGHTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, its agents, servants and/or employees maintained a certain store located at 160 North Research Place, Central Islip, New York.

NINTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, invited members of the general public to the aforesaid store for business purposes.

TENTH : That on the 22nd day of July, 2016, while the plaintiff was lawfully in the barbeque aisle at the aforesaid store, she was caused to be propelled to the floor

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR §202.5-b(d)(3)(4)) which, at the time of its printout from the court system's electronic website, had not yet been reviewed and approved by the County Clerk. Because court rules (22 NYCRR §202.5(d)) authorize the County Clerk to reject filings for various reasons, readers should be aware that documents bearing this legend may not have been accepted for filing by the County Clerk.

3 of 7

12/21/2018

00022005560001

602018122101783A

CAUTION: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY THE COUNTY CLERK. (See below.)

INDEX NO. UNASST/SHED

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 12/20/2018

and become injured due to the carelessness, recklessness and negligence of the defendant, its agents, servants and/or employees.

ELEVENTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, transacted business within the state and/or contracted elsewhere to supply goods and/or services with this State.

TWELFTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, committed a tortious act within this State.

THIRTEENTH: That at all times hereinafter mentioned, defendant, TARGET CORPORATION, committed a tortious act which caused injury to persons and/or property within this State.

FOURTEENTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, regularly solicited business and/or engaged in a persistent cause of conduct and/or derived substantial revenue from goods and/or services rendered in this State.

FIFTEENTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, expected and/or should have reasonably expected its actions to have consequences within this State and the defendant derived and/or derives substantial revenue from inter-state and/or international commerce.

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR §202.5-b(d)(3)(1)) which, at the time of its printout from the court system's electronic website, had not yet been reviewed and approved by the County Clerk. Because court rules (22 NYCRR §202.5(d)) authorize the County Clerk to reject filings for various reasons, readers should be aware that documents bearing this legend may not have been accepted for filing by the County Clerk.

4 of 4

12/21/2018

00022005500001

60201812P1017838

CAUTION: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY THE COUNTY CLERK. (See below.)

INDEX NO. UNASSIGNED

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 12/20/2018

SIXTEENTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, either owns, uses and/or possesses real property within the State.

SEVENTEENTH : That at all times hereinafter mentioned, defendant, TARGET CORPORATION, transacted business within the State of New York and/or contracted to supply goods and/or services within the State.

EIGHTEENTH : That the defendant, its agents, servants and/or employees was careless, reckless and negligent in the ownership, operation, maintenance, management, supervision and control of the aforesaid store; in carelessly, recklessly and negligently causing, allowing and/or permitting the plaintiff to be precipitated to the floor and become injured; in failing to provide plaintiff with a safe place to walk; in carelessly, recklessly and negligently causing, allowing and/or permitting the floor thereat to be wet, slick and slippery, creating a hazard and a snare; in carelessly, recklessly and negligently causing, allowing and/or permitting foreign substances to be and remain on the floor thereat, creating a dangerous and defective condition; in failing to maintain the floors in a safe and proper manner; in failing to expeditiously mop up wet areas; in failing to limit and/or otherwise restrict access to the aforesaid area, knowing same was dangerously defective; in failing to properly manage the

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR §202.5-b(d)(3)(1)) which, at the time of its printout from the court system's electronic website, had not yet been reviewed and approved by the County Clerk. Because court rules (22 NYCRR §202.5(d)) authorize the County Clerk to reject filings for various reasons, readers should be aware that documents bearing this legend may not have been accepted for filing by the County Clerk.

5 of 7

12/21/2018

000220055G0001

6020181221017838

CAUTION: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY THE COUNTY CLERK. (See below.)

INDEX NO. UNASSIGNED

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 12/20/2018

aforesaid store; in failing to adequately supervise the aforesaid store; in failing to foresee this incident; in failing to post signs, notices and/or other warnings of the dangerous and defective condition existing thereat; in failing to erect barricades, fences, ropes, cones or other safety devices for the proper protection of plaintiff and others; that defendant knew, or by reasonable inspection thereof, should have known of the dangerous and defective condition existing thereat and failed to repair and/or remedy the same; in carelessly, recklessly and negligently causing, allowing and/or permitting the aforesaid condition to be and remain for a long and unreasonable length of time under the circumstances then and there existing; in failing in its non-delegable duties to the plaintiff herein; and, in other ways, acted in a careless, reckless and negligent manner.

NINETEENTH : That at all times hereinafter mentioned, defendant had actual, constructive and/or written notice of the aforesaid dangerous and defective condition.

TWENTIETH : That by reason of the premises, the plaintiff was rendered sick, sore maimed and disabled; and she was injured, bruised and wounded about her head, body and limbs; and upon information and belief, some of her injuries are of a permanent nature and character; and she has suffered and continues to suffer physical pain and mental

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR §202.5-b(d)(3)(i)) which, at the time of its printout from the court system's electronic website, had not yet been reviewed and approved by the County Clerk. Because court rules (22 NYCRR §202.5(d)) authorize the County Clerk to reject filings for various reasons, readers should be aware that documents bearing this legend may not have been accepted for filing by the County Clerk.

6 of 7

CAUTION: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY THE COUNTY CLERK. (See below.)

INDEX NO. UNASSIGNED

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 12/20/2018

anguish; and she has been incapacitated, all to her damage in a sum in excess of the monetary limits of any lower courts.

TWENTY-FIRST : That this action falls within one or more of the exceptions set forth in C.P.L.R. 1602.

WHEREFORE, plaintiff, LYDIA FELICIANO, demands judgment against the defendant in a sum in excess of the monetary limits of any lower courts, together with the costs and disbursements of this action.

SIBEN & SIBEN, LLP

By: STEPHEN G. SIBEN ☒

ANDREW B. SIBEN ()

JACQUELINE SIBEN ()

MARK A. RUDNER ()

Attorneys for Plaintiff

Office & P.O. Address

90 East Main Street

Bay Shore, New York 11706

(631) 665-3400

File No.: 07 22 16 M

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR §202.5-b(d)(3)(i)) which, at the time of its printout from the court system's electronic website, had not yet been reviewed and approved by the County Clerk. Because court rules (22 NYCRR §202.5(d)) authorize the County Clerk to reject filings for various reasons, readers should be aware that documents bearing this legend may not have been accepted for filing by the County Clerk.

7 of 7